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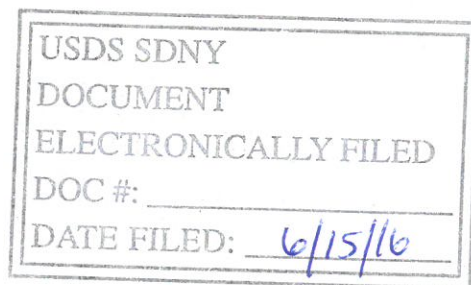
MEMO ENDORSED

June 15, 2016

BY EMAIL

Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

RE: UNITED STATES V. JERMAINE DORE
12 CR. 45 (RJS)
16 CV. 0699 (RJS)



Dear Judge Sullivan:

I write to inform the Court that, pursuant to Chief Judge Preska's Standing Order filed November 18, 2015 as well as Chief Judge McMahon's Standing Order filed June 8, 2016, my office was appointed to represent defendants who might qualify for resentencing in light of *Johnson v. United States*, 135 S. Ct. 2551 (2015). I was recently assigned Mr. Dore's case to review, and would seek to enter my appearance on Mr. Dore's behalf for the limited purpose of providing him assistance to perfect his *Johnson*-related claims.

I see that Mr. Dore has a briefing schedule for his 28 U.S.C. § 2255 currently filed before Your Honor, and that the United States has consented to the amendment of that petition to include *Johnson* claims, which Your Honor ordered on May 12, 2016. I further note that Mr. Dore's *pro se* briefing for all issues, including those implicated by *Johnson*, is due this Friday, June 17, 2016.

Given my recent assignment to this matter, as well as the emergency nature of the *Johnson* deadline that has given rise to the Standing Orders, I respectfully request that the Court reasonably extend the briefing schedule in the above-captioned cases for thirty days so that I may have a chance to supplement and perfect Mr. Dore's § 2255 petition insofar as it raises issues related to *Johnson*. Although this may cause a brief delay, the requested extension would ultimately serve the interest of efficiency in allowing the issues to be clearly and thoroughly presented as well as preserved.

Further, as the government notes in its letter of May 11, 2016, it appears that Mr. Dore's case presents many similar, if not all, of the *Johnson*-related claims currently under consideration by the Second Circuit in the appeal of his co-defendant, Mr. Dwayne Barrett. *See United States v. Barrett*, 14-2641. Mr. Dore's claims may also be impacted by another case under consideration at the Circuit, *United States v. Hill*, 14-3872, which was argued by my office. The same wisdom allowing Mr. Dore to amend his petition to include *Johnson* claims should permit that petition to clearly and thoroughly present those claims as well.

For these reasons, I respectfully request that my appearance be entered on Mr. Dore's behalf in the above-captioned cases for the limited purpose of assisting him with his *Johnson*-related claims, and further, that the briefing schedule currently set be extended for thirty days to allow for this assistance.

If the Court requires further information, I can be best reached at (212) 417-8734, or christopher_flood@fd.org.

Respectfully Submitted,



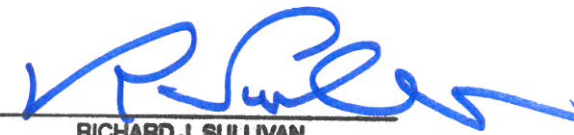
Christopher A. Flood
Assistant Federal Defender

cc: AUSA Amy Lester (by email)

IT IS HEREBY ORDERED THAT, pursuant to Chief Judge Preska's Standing Order dated November 18, 2015 issued in *In Re: Motions for Sentencing Reductions Under 28 U.S.C. 2255 in Light of Johnson v. United States*, No. 15-mc-373 (P1), Christopher A. Flood is appointed as counsel to Petitioner in this matter for the limited purpose of assisting Petitioner with his *Johnson*-related claims. In light of Mr. Flood's appointment, IT IS FURTHER ORDERED THAT the deadline for Petitioner to file his amended petition is extended to July 19, 2016; the government's deadline to respond to the amended petition is extended to August 18, 2016; and Petitioner shall have thirty days from the date he is served with the government's response to file a reply, should he wish to do so. The Clerk of the Court is respectfully directed to mail a copy of this Order to Petitioner.

SO ORDERED

Dated:


RICHARD J. SULLIVAN
U.S.D.J.
6/15/16